

(1) coordinate and adopt a long-range master plan to facilitate the development and management of integrated stormwater control and recapture projects and facilities within the authority's territory;

(2) apply for, accept, and receive gifts, grants, loans, and other money available from any source, including the state, the federal government, and an entity represented on the board of directors under Sections 391A.004(1), (2), and (3), to perform its purposes; and

(3) assist an entity represented on the board of directors under Sections 391A.004(1), (2), and (3) in carrying out an objective included in the authority's master plan.

(b) The authority may:

(1) enter into contracts as necessary to carry out the authority's powers and duties; and

(2) employ staff and consult with and retain experts.

(c) The authority may not:

(1) impose a tax or issue bonds; or

(2) regulate the structures or facilities of an electric utility as "electric utility" is defined by Section 31.002, Utilities Code.

Sec. 391A.006. EXPIRATION OF CHAPTER. This chapter expires September 1, 2023.

SECTION 2. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2015.

Passed by the House on April 30, 2015: Yeas 122, Nays 17, 1 present, not voting;
passed by the Senate on May 20, 2015: Yeas 30, Nays 1.

Filed without signature June 10, 2015.

Effective June 10, 2015.

AUTHORIZING A FEE FOR COUNTY RECORDS TECHNOLOGY AND INFRASTRUCTURE COSTS IN CERTAIN COUNTIES

CHAPTER 379

H.B. No. 1062

AN ACT

relating to authorizing a fee for county records technology and infrastructure costs in certain counties.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. Section 118.011(f), Local Government Code, as effective until September 1, 2019, is amended to read as follows:

(f) The county clerk of a county shall, if the commissioners court of the county adopts the fee as part of the county's annual budget, collect the following fee from any person:

(1) Records Archive Fee (Sec. 118.025) not more than \$10

(2) Records Technology and Infrastructure Fee (Sec. 118.026) \$2.00

SECTION 2. Section 118.011(f), Local Government Code, as effective September 1, 2019, is amended to read as follows:

(f) The county clerk of a county shall, if the commissioners court of the county adopts the fee as part of the county's annual budget, collect the following fee from any person:

(1) Records Archive Fee (Sec. 118.025) not more than \$5

(2) Records Technology and Infrastructure Fee (Sec. 118.026) \$2.00

SECTION 3. Subchapter B, Chapter 118, Local Government Code, is amended by adding Section 118.026 to read as follows:

Sec. 118.026. FEE FOR COUNTY RECORDS TECHNOLOGY AND INFRASTRUCTURE IN CERTAIN COUNTIES. (a) The commissioners court of a county that borders the United Mexican States and the Gulf of Mexico may adopt a records technology and infrastructure fee as part of the county's annual budget. The fee must be set and itemized in the county's budget as part of the budget preparation process.

(b) The fee must be paid at the time a person pays a fee under Section 118.0216 or, if applicable, Section 118.025.

(c) The fee shall be deposited in a separate records technology and infrastructure account in the general fund of the county. Any interest accrued remains with the account.

(d) The funds generated from the collection of a fee under this section may be used only for technology and infrastructure for the maintenance of county records and the operation of the county records system.

(e) The fee is subject to approval by the commissioners court in a public meeting during the budget process.

SECTION 4. Section 118.052, Local Government Code, is amended to read as follows:

Sec. 118.052. FEE SCHEDULE. Each clerk of a county court shall collect the following fees for services rendered to any person:

(1) CIVIL COURT ACTIONS

(A) Filing of Original Action (Sec. 118.053):

(i) Garnishment after judgment . . . \$15.00

(ii) All others . . . \$40.00

(B) Filing of Action Other than Original (Sec. 118.054) . . . \$30.00

(C) Services Rendered After Judgment in Original Action (Sec. 118.0545):

(i) Abstract of judgment . . . \$ 5.00

(ii) Execution, order of sale, writ, or other process . . . \$ 5.00

(2) PROBATE COURT ACTIONS

(A) Probate Original Action (Sec. 118.055):

(i) Probate of a will with independent executor, administration with will attached, administration of an estate, guardianship or receivership of an estate, or muniment of title . . . \$40.00

(ii) Community survivors . . . \$40.00

(iii) Small estates . . . \$40.00

(iv) Declarations of heirship . . . \$40.00

(v) Mental health or chemical dependency services . . . \$40.00

(vi) Additional, special fee (Sec. 118.064) . . . \$ 5.00

(B) Services in Pending Probate Action (Sec. 118.056):

(i) Filing an inventory and appraisal as provided by Section 118.056(d) . . . \$25.00

(ii) Approving and recording bond . . . \$ 3.00

(iii) Administering oath . . . \$ 2.00

(iv) Filing annual or final account of estate . . . \$25.00

(v) Filing application for sale of real or personal property . . . \$25.00

(vi) Filing annual or final report of guardian of a person . . . \$10.00

(vii) Filing a document not listed under this paragraph after the filing of an order approving the inventory and appraisal or after the 120th day after the date of the initial filing of the action, whichever occurs first, if more than 25 pages ... \$25.00

(C) Adverse Probate Action (Sec. 118.057) ... \$40.00

(D) Claim Against Estate (Sec. 118.058) ... \$ 2.00

(E) Supplemental Court-Initiated Guardianship Fee in Probate Original Actions and Adverse Probate Actions (Sec. 118.067) ... \$20.00

(F) Supplemental Public Probate Administrator Fee For Counties That Have Appointed a Public Probate Administrator (Sec. 118.068) ... \$10.00

(3) OTHER FEES

(A) Issuing Document (Sec. 118.059):

original document and one copy ... \$ 4.00

each additional set of an original and one copy ... \$ 4.00

(B) Certified Papers (Sec. 118.060):

for the clerk's certificate ... \$ 5.00

plus a fee per page or part of a page of ... \$ 1.00

(C) Noncertified Papers (Sec. 118.0605):

for each page or part of a page ... \$ 1.00

(D) Letters Testamentary, Letter of Guardianship, Letter of Administration, or Abstract of Judgment (Sec. 118.061) ... \$ 2.00

(E) Safekeeping of Wills (Sec. 118.062) ... \$ 5.00

(F) Mail Service of Process (Sec. 118.063) ... same as sheriff

(G) Records Management and Preservation Fee ... \$ 5.00

(H) *Records Technology and Infrastructure Fee if authorized by the commissioners court of the county (Sec. 118.026) ... \$ 2.00*

SECTION 5. Subchapter C, Chapter 118, Local Government Code, is amended by adding Section 118.069 to read as follows:

Sec. 118.069. FEE FOR COUNTY RECORDS TECHNOLOGY AND INFRASTRUCTURE. If adopted by the commissioners court under Section 118.026, the clerk of a county court shall collect the records technology and infrastructure fee at the time a person pays a fee under Section 118.0546 or 118.0645 and shall deposit the fee in the records technology and infrastructure account under Section 118.026(c).

SECTION 6. Section 118.101, Local Government Code, is amended to read as follows:

Sec. 118.101. FEE SCHEDULE. The county judge shall collect the following fees in probate matters:

(1) Probate of a will.	\$2.00
(2) Granting letters testamentary, letter of guardianship, or letter of administration.	\$2.00
(3) Order of sale.	\$2.00
(4) Approval and confirmation of sale.	\$2.00
(5) Decree refusing order of sale or confirmation of sale.	\$2.00
(6) Decree of partition and distribution.	\$2.00
(7) Decree approving or setting aside the report of a commissioner of partition and distribution.	\$2.00
(8) Decree removing an executor, administrator or guardian (with the fee	

to be paid by that executor, administrator, or guardian)	
(9) Fiat or certificate.	\$2.00
(10) Continuance.	\$0.10
(11) Orders for which another fee is not prescribed.	\$2.00
(12) Administering oath or affirmation with certificate and seal.	\$2.00
(13) Administering oath or affirmation without certificate and seal.	\$0.25
(14) <i>Records technology and infrastructure, if authorized by the commissioners court of the county.</i>	\$2.00

SECTION 7. Subchapter D, Chapter 118, Local Government Code, is amended by adding Section 118.102 to read as follows:

Sec. 118.102. FEE FOR COUNTY RECORDS TECHNOLOGY AND INFRASTRUCTURE. If adopted by the commissioners court under Section 118.026, the county judge shall collect the records technology and infrastructure fee at the time a person pays a fee for probate matters under Section 118.101 and shall deposit the fee in the records technology and infrastructure account under Section 118.026(c).

SECTION 8. Section 103.030, Government Code, is amended to read as follows:

Sec. 103.030. MISCELLANEOUS FEES AND COSTS: LOCAL GOVERNMENT CODE. Fees and costs shall be paid or collected under the Local Government Code as follows:

(1) services by the offices of the sheriff and constables (Sec. 118.131, Local Government Code) . . . amount set by county commissioners court;

(2) a filing fee or recording fee for each page of a legal paper presented for filing or recording that fails to meet certain requirements regarding paper size, weight, substance, headings, legibility, the presence of typed or printed names under each signature, and number and size of riders or attachments (Sec. 191.007, Local Government Code) . . . twice the regular filing fee or recording fee provided by statute for that page, rider, or attachment;

(3) a processing fee as authorized by the commissioners court for the payment by credit card of a fee, court cost, or other charge processed by a county or precinct officer (Secs. 132.002 and 132.003, Local Government Code) . . . an amount reasonably related to the expense incurred by the county or precinct officer but not to exceed five percent of the amount of the fee, court cost, or other charge being paid;

(4) a processing fee as authorized by the governing body of the municipality for the payment by credit card of a fee, court cost, or other charge processed by a municipal official (Secs. 132.002 and 132.003, Local Government Code) . . . an amount reasonably related to the expense incurred by the municipal official but not to exceed five percent of the amount of the fee, court cost, or other charge being paid;

(5) a handling fee, if authorized by the commissioners court under Section 132.002, Local Government Code, for electronically processing the payment of a fee, fine, court cost, or other charge (Secs. 132.002 and 132.003, Local Government Code):

(A) charged at a flat rate that does not exceed \$5 for each payment transaction; or

(B) charged at a rate reasonably related to the expense incurred in processing a payment and that does not exceed five percent of the amount of the fee, court cost, or other charge being paid; ~~and~~

(6) a fee, if authorized by the commissioners court, collected by a county or precinct officer on behalf of the county from a person making payment by credit card of a fee, court cost, or other charge (Sec. 132.003, Local Government Code) . . . an amount equal to the amount of any transaction fee charged to the county by a vendor providing services in connection with payments made by credit card; *and*

(7) *a records technology and infrastructure fee, if authorized by the commissioners*

court of the county (Secs. 118.026, 118.069, and 118.102, Local Government Code) . . . \$2.00.

SECTION 9. This Act takes effect September 1, 2015.

Passed by the House on May 4, 2015: Yeas 135, Nays 3, 2 present, not voting; passed by the Senate on May 20, 2015: Yeas 23, Nays 7.

Filed without signature June 10, 2015.

Effective September 1, 2015.

**ANNEXATION OF CERTAIN TERRITORY BY THE WISE
COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT
NO. 1**

CHAPTER 380

H.B. No. 1235

AN ACT

relating to the annexation of certain territory by the Wise County Water Control and Improvement District No. 1.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. DEFINITIONS. In this Act:

(1) "Board" means the district's board of directors.

(2) "District" means, unless the context requires otherwise, the Wise County Water Control and Improvement District No. 1.

SECTION 2. ANNEXATION OF TERRITORY IN WISE COUNTY. (a) The board may call an election in Wise County to authorize the district's annexation of all parts of Wise County that, on the effective date of this Act, are not within:

(1) the district's boundaries; or

(2) the boundaries of another water control and improvement district.

(b) The board may order the annexation and an election to approve the annexation based on a resolution of the board with or without a petition requesting the annexation.

(c) Except as provided by Subsection (b) of this section, the annexation of territory and an election under this section must conform to the requirements of Section 49.302, Water Code, including any hearing and notice requirements.

(d) The ballot for an election under this section must be printed to provide for voting for or against:

(1) the annexation of the territory; and

(2) the assumption by the territory proposed to be annexed of its proportionate share of any outstanding debt of the district.

SECTION 3. EFFECTIVE DATE. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2015.

Passed by the House on April 9, 2015: Yeas 142, Nays 1, 2 present, not voting; passed by the Senate on May 20, 2015: Yeas 31, Nays 0.

Filed without signature June 10, 2015.

Effective June 10, 2015.